G. R. S. 59] GPE—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

1900
(Prisons & Jails)

File No. 144 of 1900.

Serial Nos. 1—2

Papers Filed.

Month December 1900.

SUBJECT.

Memorial to H. H. the Maharani Regent by Deenuri accused in Mysore Sessions Case 7 of 1900-1. Enclosed

PREVIOUS REFERENCES.	LATER REFERENCES.

Prisoner Devasee, accused in Mysore Sessions case no 7 of 1900-1901.

1, No. of case.

Criminal Case No. 9 of ~~189~~ 1900-1901 on the file of the Asst Commissioner and 1st Class Magistrate Yemuch Rocks Sub-Division Mysore Sessions Case No. 7 of ~~189~~ 1900-1901, and Criminal Appeal Case No. 69 of ~~189~~ 1900-1901 & Criminal Referred case no 1 of 1900-1901 on the file of the Chief Court —

2. Court or Courts which tried it.

Asst Commr & 1st Class Magistrate's Court, Yemuch Rocks, ____ District and the Sessions Court of the ____ Ashtagram ____ Division; Mysore

3. Nature of sentence originally passed and confirmed or altered in appeal.

Sentenced to death ~~pas by~~ the Sessions Court, and in appeal the Chief Court confirmed the same.

Date of sentence.

11th September ~~189~~ 1900.

ma
3/12

Sub & Affr. Dewan

Sub. & 2nd Count (2)

The memorialist has been convicted of murder by administering poison & her husband, & sentenced to death.

In the memorandum of appeal preferred by her & the Chief Court she denied having done anything and made out that the broth containing the poison was prepared by the deceased himself. The Chief Court have confirmed the sentence on appeal.

In her present memorial she says that her paramour gave her some thing and asked her to

ning it with her husband's cooked food and make him eat it: that she did not at first consent but that she was obliged & yield & commit the act under fear & threat. K K 3/12/00

Parmanon assured her that the substance would not cause death

K. 8 P.M.
3/12/00
752

I have gone very carefully over the proofs & find no reason for recommending the case for the consideration of Her Highness. There is a clear motive for the crime & the evidence also is clear as to the memorialist herself having put arsenic in the broth which caused the death of her husband. I would recommend the appeal being rejected

M Gopalacharlu Rao

4th Decr 1900
Bangalore

(3)

15676

Submitted for the Memorial
the Maharani Regent C.J.
for approval.

A.T. Arunachalam Pathy
Offg Dewan

6 - 12 - 1900

Submitted
7th Dec 1900

In the Matter of a Memorial

from Deveeri, accused in Mayuram Sessions Case no 7 of 1900-01 and appellant in criminal appeal no 69 of 1900-01 on the file of the Chief Court, praying that the sentence of death, passed upon her by the Court of Session and confirmed in appeal by the Chief Court, may be set aside as she did not, of her own free will, ~~commit~~ the murder of her husband, but committed the act under the instigation of her paramour.

Her Highness the Maharani-Regent

has been pleased to pass the following

Order.

There are no sufficient grounds to interfere with the sentence of death passed on the Memorialist. The Memorial is accordingly rejected.

Kempanarjammani

AAT

13-12-00

P.S.
A/C
Dewan

(General Serial No 30)

J. 690
(1)

6078 1900-1
1901-12-00

SECTION J 690

FILE No. 1449900

SERIAL No 1

From The Registrar of the Chief Court, Mysore

To The Secretary to the Govt of Mysore

Dated 29th
Despatched 30th } Dec 1900
Received

General No. 3710
No. 120 } 189

Enclosures No. 3 with the Record

Forwards for disposal the accompanying Memorial with its English Translation addressed to H.H. Yuvaraj Regent of Mysore by Venkatachar accused in Mysore Sessions case No. 7 of 1900-1

Jrnl
1.12.00

Records not received
Ex. Jrnl. 1-12-00

Submitted.

may we await for the records?

Resubmit
with
records
7/12/00
1/12/1900

Submitted with records received to-day.
3/12

Central Jail Press, Bangalore.—5-7-98.—3,221.

2.

(1)

[illegible] SCORE

Bangalore , 29th. November 1900.

No. 3710/120 Leg. 3 pattu Rec.

From

The Registrar of the
Chief Court of Mysore

To

The Secretary to the Government of Mysore,
General and Revenue Departments.

Sir,

I am directed to forward for disposal the accompanying memorial , with its English Translation , addressed to H.H. the Maharana Regent of Mysore by Deveeri, accused in Mysore Sessions Case No.7 of 1900-01 and appellant in Criminal Appeal No. 69 of 1900-01 on the file of this Court.

2.The records connected with the case of the accused are herewith submitted for reference and return when no longer required.

I have the honor to be ,
Sir,
Your Most Obedient Servant;

Ag. Registrar.

mcm

3. Enclosure 5 Sl/

To Her Highness the Mahaarance
Regent,
Mysore.

Criminal Appeal No: 69 of 1900-1901
on the file of the Chief Court of Mysore.

Memomorial submitted by Devarera,
Prisoner No: 5218, sentenced to death and undergoing imprisonment in the Mysore jail, is as follows:-

I was keeping Devarada. My husband was ill-treating me. I used to inform the said Devarada about this. One day he said to me that he would extricate me from my husbands ill-treatment, and that he would see that there would be no fear at all of his death. So saying he gave me

something

4. Evidence to 881

something and asked me to put it in the cooked food, and make him eat it. Then fearing that my husband might die I questioned him as to the name of the substance and its ~~nature~~ properties. The said Devarasa then assured me that thereby his mind would be deranged, that he would lose the power of discriminating right from wrong, that he would become weak, and that there would be no fear at all of his death. Not assenting to what he said, I kept quiet. Then the said Devarasa threatened me saying that he would cut me

, and

and beat me. I, being weaker, — assented to his proposal and committed the act. But I did not do it of my own free will

Therefore I most humbly pray that Your most Gracious Highness may be pleased to take pity on me and spare my life.

Dated 21st November 1900.

Mark of Devenee

Ld
Fs Clerk

Signed before me

C. J. Ackerman

Superintendent
Alpena Jail

8 Enclosure 6 &c1

In the Chief Court of Mysore at Bangalore
Friday the 2nd day of November 1900

Present

Hon. Justice J. W. Best, Chief Judge
and
Hon. Justice G. Naraian Row, Judge

Petition of Criminal appeal No 69 of 1900-1901 against Referred case No 1 of 1900-1901 the conviction and sentence of the Sessions Judge of Ashtagram Division under section 302 of the Indian Penal code in Mysore Sessions case No 7 of 1900

Appellant
Daveeree
(Accused)

Judgment

In this case one Daveeree has been convicted of murder by administering poison to her husband Honnia, and sentenced to death

It is proved that the deceased Honnia began to vomit and purge shortly after partaking of food prepared

and

of knowledge that she was likely ~~thereby~~ to cause the death of her husband?

That she did administer the poison has been admitted by her on three separate occasions at first before the Circuit Magistrate of Chavakachcheri on 19 July when she said "For the last 4 or 5 years I was keeping one Kumarr Devarasa for my husband was now and then beating and ill-treating me, saying I was not behaving properly. Being unable to suffer this ill treatment I thought of running away, and was telling the same to Devarasa. He said why do you take that trouble. I will give you something, give it to your husband and he will die. He put something in flour and gave it to a fowl which ate it and died. He asked me to

prepare

prepare broth of the said dead fowl, and gave a white pill of the size of an ovare groan to be put into the broth & put it into the broth and served the said broth to my husband Nouna. He ate it and in about a quarter he began to vomit and purge and died at noon the 2nd Instant.

Her next statement was made before the Committing Magistrate on 21st July when, at the end of the examination of the 1st prosecution witness Jawara, on being asked if she had any question to put to the witness she made the statement H, in which after stating that Dewarasa administered poison to a fowl on Friday. since the fowl died next day, she proceeds to say Dewarasa told me to cut the dead fowl and make broth of it and serve it to my husband He gave me something hard

hand like a stone and asked me to put it into the broth, saying that if I did not give it to my husband he (Devarasa) would cut off my nose and the hair on my forehead. Being much afraid, I prepared the broth and put the whole substance into it and served it to my husband He ate it A portion remained in the pot I did not eat it. My husband then began to vomit and purge He died on Sunday morning and was buried x x x x. At the time who was keeping me tutiated me, I administered poison to my husband.

In third statement was before the Sessions Court, and is as follows Devarasa gave me something and told me to administer it to my husband, saying that it would make my husband

husband not to hear me - She gave me some white powder, saying that it was poison. I had prepared broth with a dead fowl and I put the said white powder into the broth - I served the said broth to my husband. He ate it. A ghastly after my husband ate this he began to vomit and purge "really

It has been suggested that she may have given it as a "love potion" rather than with the intention of killing her husband but this is no where alleged by the appellant herself. Not even the appellant herself in her appeal memorandum which she drew having done anything, and makes out that the broth was prepared by the deceased himself. It is also suggested on behalf of appellant that the 1st and

2nd

Dw 1/67

Dewan

OFFICE OF THE ~~GOVERNMENT~~ OF MYSORE.

No 8046 / 1893 Sec: 1 Reed Dated Bangalore 14th December 1900

EN 11 & 900

SERIAL No. 2

From

The ~~General~~ Secretary to the Government of Mysore,

Genl & Rev Dept HJ.

To

The Registrar of the Chief Court of Mysore.

SIR,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Deveeri under ~~going~~ sentence of death in the Mysore Jail, copy of order passed by H.H. the Maharani Regent of Mysore, on the prisoner's memorial.

2. The entire records received with your letter No. 3710 - 120 dated the 29th November 1900 are herewith returned.

I have the honor to be,

SIR,

Your most obedient servant,

for Offg ~~General~~ Secretary.

SN 17.

Subd to 2nd Councillor for perusal

14/12/00

752

Seen by Chamarajendra

17/12/1900

2nd witnesses for prosecution are un-
-entitled on giving evidence
against her, as she the widow
of the deceased would be en-
-titled to his property in preference
to the 2 witness, who and the
deceased were sons of two brothers -
But the fact of the deceased -
having been buried without
any intimation of the death
being given to the Police or
Magistrate shows a desire on
the part of the witnesses to screen
the appellant rather than to
get her punished for the offence.

Seeing no reason to doubt
the correctness of the conviction
and there being no extenuating
circumstances to justify a
mitigation of the sentence,

we

we dismiss this appeal and confirm the sentence of death passed on the appellant.-

A true Copy

Asst:

Asg: Registrar

Copy applied for by prisoner thro' Supt. Mysore Jail } 15-11-00
Received 19-11-00.

Copy ready - - - 20-11-00. bb

Copy despatched - - 20-11-1900 bb

Asst

Nilu

Asst Registrar